

[Sri M. A. Manickavelu] [31st August 1959]

தெரிய இரண்டு மூன்று மாதங்களுக்கு முன்பே நோடிபிகேஷன் வெளி கிடப்பட்டிருக்கிறது. அந்த நோடிபிகேஷனை ஒட்டி இந்த ஜி. ஓ. பின்னால் பாஸ் செய்திருக்கிறார்கள்.

விதிகள் எல்லாம் திருத்தப்பட வேண்டுமென்று சொன்னார்கள். விதிகள் திருத்தவது இப்பொழுது பரிசீலனையில் இருக்கிறது. இந்த அப்பீ கேஷனைக் காலம் தாமதித்துப் போட்டால் உத்தியோகஸ்தர்களே அதற்குச் சலுகை காட்டலாம் என்று சொல்லப்பட்டது. அந்த முறையிலும் பரிசீலித்துக் கொண்டு வருகிறோம். அந்த வகையிலும் இந்த விதிகள் திருத்தம் செய்யப்படும்.

(Mr. Speaker in the Chair.)

அநேகமாக இங்கே எழுப்பப்பட்ட பிரச்சனைகள் இவைகள்தான். இவைகளுக்கெல்லாம் நான் சமாதானம் சொல்லியிருக்கிறேன். இந்த மசோதாவினுடைய சருக்கமான கருத்து இது ஒன்றுதான். அங்கத்தினர்கள் பேசுகின்ற நிலச்சர்த்திருத்தம் பற்றியெல்லாம் வந்தது. அதுபற்றி யெல்லாம் இந்த மசோதாவில் குறிப்பிட்டிருக்கவேண்டியதில்லை. பேசுக் கூடாதென்று சொல்ல முடியாது. இந்த “இன்னும் ஒரு வருஷத்துக்கு நிடிக்க வேண்டுமென்று” இந்தத் திருத்தத்துக்கு இவ்வளவு பெரிய விவாதம் தேவையில்லை. நிலச்சர்த்திருத்தச் சட்டம் வரும்போது தீர் ஆராய்ந்து வேண்டிய விதிகளைச் செய்து கொள்ளலாம் என்று சொல்லிக்கொண்டு இந்த மசோதாவைப் “பாஸ்” செய்ய வேண்டுமென்று கேட்டுக்கொள்கிறேன்.

• MR. SPEAKER : The question is—

‘That the Madras Agricultural Income-tax (Amendment) Bill, 1959, be taken into consideration’.

The motion was put and carried and the Bill was taken into consideration.

Clause 2 was put and carried.

Clause 1 and the Preamble were put and carried.

THE HON. SRI M. A. MANICKAVELU : Mr. Speaker, Sir, I move :

“That the Madras Agricultural Income-tax (Amendment) Bill, 1959, be passed”.

MR. SPEAKER : The question is :

“That the Madras Agricultural Income-tax (Amendment) Bill, 1959, be passed”.

The motion was put and carried and the Bill was passed.

(3) THE MADRAS TENANTS AND RYOTS PROTECTION (AMENDMENT) BILL, 1959.

• THE HON. SRI M. A. MANICKAVELU : Mr. Speaker, Sir, I beg leave to introduce the Madras Tenants and Ryots Protection (Amendment) Bill, 1959*, and move :

‘That the Bill be taken into consideration’.

31st August 1959] [Sri M. A. Manickavelu]

The Madras Tenants and Ryots Protection Act, 1949 was enacted in 1949 with a view to provide for the temporary protection against eviction, among others, of the tenants of private lands in estates governed by the Madras Estates Land Act and against the sale of the holdings of the ryots in such estates and to provide for the stay of suits and other proceedings relating to such eviction and sale pending the taking over of the estates by the Government under the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948. The Act provided that during its continuance, no tenant of any private land in an estate shall be liable to be evicted by the landholder of the estate in pursuance of a decree or order for eviction and that no holding of a ryot in an estate shall be liable to be sold or brought to sale in pursuance of a decree, order or other proceeding for recovery of rent. It also laid down that all suits, proceedings in execution of decrees or orders and other proceedings for the eviction of such tenants from their lands on in which the sale of the holding of a ryot for recovery of rent was claimed shall stand stayed subject to certain conditions. The act was enacted originally for a period of two years in the first instance. It has been continued from time to time. The life of the Act now stands extended up to and inclusive of 7th October 1959. The process of taking over estates under the Abolition Act is almost complete but there still remain some estates to be taken over. The Abolition Act does not apply to inam villages which became estates by virtue of the Madras Estates Land (Third Amendment) Act, 1936. The question of undertaking legislation for taking over this class of estates also is under the consideration of the Government. Meanwhile if the Madras Tenants and Ryots Protection Act, 1949 is allowed to expire on 7th October 1959, the proceedings for the sale of holdings, etc., which had been initiated and which had been stayed by that Act will get revived and could be proceeded with and even fresh suits may be launched by landholders in these areas. The Government have therefore decided to extend the life of the Tenants and Ryots Protection Act, 1949 for a further period of two years. The Bill accordingly provides for the extension of the life of the Act up to 7th October 1961.

I request the House to accept the motion.

இந்த சட்டத்தை இரண்டு வருஷங்களுக்கு நிதிக்கவேண்டும் என்பது இந்த மசோதாவின் தாத்பர்யம் ஆகும்.

MR. SPEAKER : The question is—

'That the Madras Tenants and Ryots Protection (Amendment) Bill, 1959, be taken into consideration'.

The motion was put and carried and the Bill taken into consideration.

Clause 2 was put and carried.

Clause 1 and the Preamble were put and carried.

[31st August 1959]

THE HON. SRI M. A. MANICKAVELU : Sir, I move—

That the Madras Tenants and Ryots Protection (Amendment) Bill, 1959, be passed.

MR. SPEAKER : The question is—

That the Madras Tenants and Ryots Protection (Amendment) Bill, 1959, be passed.

The motion was put and carried and the Bill was passed.

(4) THE MADRAS PRESERVATION OF PRIVATE FORESTS (AMENDMENT) BILL, 1959..

*THE HON. SRI M. A. MANICKAVELU : Mr. Speaker, Sir. I introduce the Madras Preservation of Private Forests (Amendment) Bill, 1959, ^a and move—

That the Bill be taken into consideration.

The Madras Preservation of Private Forests Act was enacted in the year 1946 with a view to prevent indiscriminate destruction of private forests especially those in estates governed by the Madras Estates Land Act, and interference with customary and prescriptive rights therein. The Act as it stands now applies to forests situated in estates as defined in the Madras Estates Land Act, 1908, and to private forests situated in other areas exceeding 100 acres which may be declared by the State Government to be forests for the purposes of the Act. The Act provides that no owner of any private forest shall, without the previous sanction of the District Collector, sell, mortgage, lease or otherwise alienate the whole or any portion of the forest and that no owner of any forest and no person claiming under him whether by virtue of a contract, licence or any other transaction entered into before or after the commencement of the Madras Preservation of Private Forests Act, or any other person, shall without the previous permission of the District Collector cut trees or do any act likely to denude the forest or diminish its utility as a forest except the removal of dead or fallen trees or any act done for the usual or customary domestic purposes or for making agricultural implements.

The Act was originally enacted as a temporary measure for a period of two years with effect from 3—12—1946 and it has been continued for one or two years at a time. It was proposed to embody the essential provisions of the Madras Preservation of Private Forests Act in the Madras Forests Act, 1882, by amending it. It was however later on decided that separate permanent and effective legislation should be undertaken in respect of private forests in this State. As separate legislation regarding private forests did not materialise when the Madras Preservation of Private Forests Act was due to expire last time, the life of the Act was extended up to and inclusive of 2—12—1959.